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RENAULT**

LP/SENCRL, Ltd.

November 13, 2006

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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.

Dear Sir:


**RE: Deposit Account No. 19-5113 and  
United States Patent Application 10/757,938**  
**Title: CHOICE OF WAVELENGTHS FOR MULTIWAVELENGTH  
OPTICAL IMAGING**  
**Inventors: David Jonathan HALL, et al...**  
**Our File: 9-15186-4US-1**

Further to our submission dated October 27, 2004 (copy attached), we have not yet received the requested refund of \$1080.00, the amount of duplicate payment with respect to the government fee of \$950.00 under code 1253 (three months extension for response) and government fee of \$130.00 under code 1051 (surcharge for late filing fee of oath) which were charged to our deposit account (No. 19-5113) on September 23, 2004 and again on September 27, 2004.

The refund of \$1080.00 can be credited to Deposit Account No. 19-5113.

We look forward to receipt of the refund.

Yours very truly,

  
Kent Daniels -Reg. No. 44,206  
Agent of Record  
Encls.

BEST AVAILABLE COPY

Barristers & Solicitors,  
Patent Agents & Trade-mark AgentsSuite 1100  
1981 McGill College Avenue  
Montreal, Quebec H3A 3C1  
CanadaTelephone (514) 847-4747  
Fax (514) 286-5474

ogilvyrenault.com

11/13/2006 10:35 FAX 613 230 6706

OGILVY RENAULT

0003

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11/1/2004 3:46 PM PAGE

1/001

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O:Auto-reply fax to 613 230 6706 COMPANY:

Agent

## Auto-Reply Facsimile Transmission

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TO:

Fax Sender at 613 230 6706

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Date Received:

11/1/2004 3:39:19 PM [Eastern Standard Time]

Total Pages:

5 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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11/01/2004 10:35 FAX 613 230 6706		OGILVY RENAULT		0001	
<b>OGILVY RENAULT</b>		<b>Facsimile</b>			
15186-4US-1		1B-bd			
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Number of pages including cover letter:		5			
Date:		September 27, 2004			
From:		Lee Hirsh, Reg. No. 55,968			
Telephone:		(613) 780-8601			
E-mail:		leehirsh@ogilvyrenault.com			
To	Company	City	Fax		
United States Patent Office - Facsimile Center		Alexandria, VA	(703) 872-9306		
<b>ATTENTION-REFUND BRANCH</b>					
Re:	Serial No.:	10757,955			
	Inventor:	HALL, David Jonathan et al.			
	Title:	CHOICE OF WAVELENGTHS FOR MULTIWAVELENGTH OPTICAL IMAGING			
Letter-Requesting Refund					
Bureau and Refusers Patent and Trademark Office		47 Ottawa / Bureau Suite 100 Ottawa, Canada Canada K1P 1Y4		Telephone: (613) 230-6706 Fax: (613) 230-6728 ogilvy@ogilvy.com	
Consulting the practices of 3000000000 Ogilvy & Mather 2000000000					
PAGE 05 * RCVD AT 11/13/2006 10:33:15 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-3/5 * DNIS:2738300 * CSID:613 230 6706 * DURATION (mm:ss):02:22					

**OGILVY  
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October 27, 2004

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Commissioner for Patents  
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P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.

Dear Sir:

**RE: Deposit Account No. 19-5113 and  
United States Patent Application 10/757,938  
Inventors: HALL, David Jonathan et al.  
Our File: 9-15186-4US-1 LB:bd**

A Response to the Notice to file Missing Parts for the above-identified application was submitted to the USPTO on September 22, 2004. A confirmation copy of our submission was sent on September 23, 2004. The government fee of \$950.00 under code 1253 (extension for response within third month) and the fee of \$ 130.00 under code 1051 (surcharge for late filing fee or oath) were charged to our deposit account No. 19-5113 on September 23, 2004.

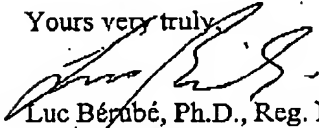
However, our Deposit Account statement for the month of September 2004 shows an additional fee withdrawal related to the extension for response within third month (\$ 950.00) and surcharge for late filing fee or oath (\$130.00 ) on September 27, 2004.

We enclose a copy of our Deposit Account statement showing the withdrawals on September 23, 2004 and September 27, 2004.

We therefore request a refund of \$1,080.00, which is the total of the above fees. This amount can be credited to Deposit Account No. 19-5113.

We look forward to receipt of the refund.

Yours very truly,

  
Luc Bérubé, Ph.D., Reg. No. 55,968  
Agent of Record  
Encls.Avocats, agents de brevets  
et agents de marques de commerceBureau 1600  
45, rue O'Connor  
Ottawa (Ontario) K1P 1A4  
CanadaTéléphone (613) 780-8661  
Télécopieur (613) 230-5459

ogilvyrenault.com

## Deposit Account Statement

Page 1 of 6


**United States  
Patent and  
Trademark Office**

 USPTO  
Home  
Page  
  
 Finance  
Options  
Shopping  
Page
**Deposit Account Statement**

Requested Statement Month:

September 2004

Deposit Account Number:

195113

Name:

OGILVY RENAULT

Attention:

DEBBIE SEARLE

Address:

1981 MCGILL COLLEGE

City:

MONTREAL, CANADA

State:

Zip:

H3A 2Y3

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/01	1	09501517	9-13528-95US	1201	\$172.00	\$49.1
09/01	13	29205544	17019-1US	2051	\$65.00	\$49.1
09/01	27	09950654	10326-67US	2401	\$165.00	\$48.9
09/01	65	10929478	5489-104US GH/IK	1001	\$770.00	\$48.1
09/01	66	10929478	5489-104US GH/IK	1202	\$288.00	\$47.8
09/01	82	60605507	14653-1USPR PTN/DF	2005	\$80.00	\$47.8
09/01	112	10928967	9-2993-575US WHY/SA	8021	\$40.00	\$47.7
09/01	888	10761312		8021	\$40.00	\$47.7
09/02	9	10400563	6703-27US GH	2501	\$885.00	\$47.0
09/02	10	10400563	6703-27US GH	1504	\$300.00	\$46.7
09/02	17	10270243	7462-37US-1 MJS/PC	2501	\$665.00	\$46.0
09/02	18	10270243	7462-37US-1 MJS/PC	1504	\$300.00	\$45.7
09/02	52	09652794	9-14798-1US-	2501	\$665.00	\$45.1
09/02	53	09652794	9-14798-1US-	8001	\$6.00	\$45.1
09/02	148	07751883	17010-2US JA	8008	\$200.00	\$44.8
09/02	286	10612896	15782-2US CMB/AA/II	8021	\$40.00	\$44.8
09/03	21	10459714	9-16077-9US	1252	\$310.00	\$44.5
09/03	44	60606527	17220-1USPR	2005	\$60.00	\$44.4
09/03	51	10932095	9-16077-9US-2	1001	\$770.00	\$43.7
09/03	52	10932095	9-16077-9US-2	1202	\$126.00	\$43.6
09/03	53	10932095	9-16077-9US-2	1201	\$172.00	\$43.4
09/03	89	6197078	9-16126-2US	2551	\$455.00	\$42.9
09/07	7	10933409	9-17171-1US	2001	\$385.00	\$42.5
09/07	8	10933409	9-17171-1US	2202	\$108.00	\$42.4
09/07	9	10933409	9-17171-1US	2201	\$88.00	\$42.3
09/07	42	60606906	16350-47USPR	2005	\$80.00	\$42.3
09/07	60	60606877	LINUX-1USPR	2005	\$80.00	\$42.2
09/07	142	10929478	5489-104US GH/IK	8021	\$40.00	\$42.1

<https://ramps.uspto.gov/eram/Controller.jsessionid=ramps.uspto.gov-51ce:417e9122:d78...> 26/10/2004

## Deposit Account Statement

NOV 13 2006

Page 5 of 6

09/22 29	10888507	16820-4US	2201	\$43.00	\$57.9
09/22 30	10888507	16820-4US	2202	\$308.00	\$57.6
09/22 48	60611286	16818-3USPR IC/DOP/MM	1005	\$160.00	\$57.4
09/22 67	10748437	4161-251US	1001	\$770.00	\$56.6
09/22 68	10748437	4161-251US	1051	\$130.00	\$56.5
09/22 69	10748437	4161-251US	1201	\$86.00	\$56.4
09/22 70	10748437	4161-251US	1202	\$162.00	\$56.2
09/22 92	10849933	16543-3US SC/SM	8021	\$40.00	\$56.2
09/22 106	60610962	17031-3US PR	2005	\$80.00	\$56.1
09/22 118	60610950	16937-2USPR	2005	\$80.00	\$56.0
09/22 125	10944507	17032-3US-1	2001	\$385.00	\$55.7
09/22 126	10944507	17032-3US-1	2202	\$216.00	\$55.4
09/22 127	10944507	17032-3US-1	2201	\$43.00	\$55.4
09/22 229	10849873	15235-1US SC/SM	8021	\$40.00	\$55.4
09/22 262	10940018	17090-1US IC/LIL	8021	\$40.00	\$55.3
09/23 4	10945973	16813-29US	1001	\$770.00	\$54.6
09/23 5	09738329	9-13528-145U	1401	\$330.00	\$54.2
09/23 8	10946016	16319-241US-1	1001	\$770.00	\$53.5
09/23 8	10776180	15493-2US MG/AL	2201	-\$129.00	\$53.6
09/23 9	10946016	16319-241US-1	1202	\$90.00	\$53.5
09/23 9	10776180	15493-2US MG/AL	2201	\$86.00	\$53.4
09/23 16	10945981	16813-30US	1001	\$770.00	\$52.6
09/23 17	10945981	16813-30US	1201	\$86.00	\$52.5
09/23 98	10941865	10500-7US-1 GH/IK	8021	\$40.00	\$52.5
09/23 198	10757938	9-15186-4US-1 LB:IF	1051	\$130.00	\$52.4
09/23 199	10757938	9-15186-4US-1 LB:IF	1253	\$950.00	\$51.4
09/23 201	60500349		8007	\$20.00	\$51.4
09/24 4	10318220	2993-455US R	1814	\$110.00	\$51.3
09/24 7	10338856		1504	\$300.00	\$51.0
09/24 8	10338856		2501	\$865.00	\$50.3
09/24 42	10855773	16338-2US-1	2001	\$385.00	\$49.9
09/24 43	10855773	16338-2US-1	2051	\$85.00	\$49.9
09/24 49	10947153	10562-38US GH/IK	2001	\$385.00	\$49.5
09/24 50	60612156	14836-20USPR	2005	\$80.00	\$49.4
09/24 96	10947222	916071-2US-1-1	2001	\$385.00	\$49.0
09/24 97	10947222	916071-2US-1-1	2202	\$117.00	\$48.9
09/24 133	10320488	2993-452US P	1252	\$420.00	\$48.5
09/24 134	10320488	2993-452US P	1806	\$180.00	\$48.3
09/24 161	10252158	9-16071-2US-	2253	\$475.00	\$47.8
09/24 192	10943870	12676-20US KPM/KF	8021	\$40.00	\$47.8
09/24 248	10895361	810326-89US KPM/CH	8021	\$40.00	\$47.8
09/27 53	10452135	2993-GEN SC/IP	1252	\$420.00	\$47.3
09/27 54	10452135	2993-GEN SC/IP	1806	\$180.00	\$47.2
09/27 58	60612521	9-15186-55USPR	1005	\$160.00	\$47.0
09/27 58	10948187	12867-1US-1-4 SC/IP	2001	\$385.00	\$46.6
09/27 60	60612519	9-15186-55USPR	1005	\$160.00	\$46.5
09/27 63	60812514	14586-4USPR PTN/DF	2005	\$80.00	\$46.4
09/27 70	60612513	15656-18USPR CMB/AA/MB	2005	\$80.00	\$46.3

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## Deposit Account Statement

Page 6 of 6

09/27 107	10862874	1775-99US RM/JR/AS	1001	\$770.00	\$45,5
09/27 108	10862874	1775-99US RM/JR/AS	1202	\$468.00	\$45,1
09/27 109	10862874	1775-99US RM/JR/AS	1051	\$130.00	\$44,8
09/27 110	10757938	9-15188-4US-1 LB:IF	1051	\$130.00	\$44,8
09/27 111	10757938	9-15188-4US-1 LB:IF	1253	\$950.00	\$43,8
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09/27 138	10086893	12867-1US-1-	1504	\$300.00	\$42,6
09/27 137	10086893	12867-1US-1-	2501	\$885.00	\$41,9
09/27 163	60611274	14836-19USPR	2005	\$80.00	\$41,8
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09/28 2	10720152	16520-1US SC/SM	1504	\$300.00	\$40,9
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09/29 57	10855493	8013-153US DAT/DP	2051	\$65.00	\$39,7
09/29 65	10886602	17133-1US.DAT/AL	2051	\$65.00	\$39,7
09/29 86	10447329		2501	\$665.00	\$39,0
09/29 87	10447329		1504	\$300.00	\$38,7
09/29 192	10862874	1775-99US RM/JR/AS	8021	\$40.00	\$38,7
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09/30 88	10324073	16108-GEN CMB	8021	\$40.00	\$38,3
09/30 89	10324074	16108-GEN CMB	8021	\$40.00	\$38,3
09/30 90	10324072	16108-GEN CMB	8021	\$40.00	\$38,3
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09/30 155	10863486	15852-1US-1 SC/IP	2051	\$65.00	\$38,1
09/30 159	10324073		8021	\$40.00	\$38,1
09/30 160	10324074		8021	\$40.00	\$38,0
09/30 161	10324072		8021	\$40.00	\$38,0
09/30 252	10932309		8021	\$40.00	\$37,9
09/30 356	10857434		8021	\$40.00	\$37,9

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CHARGES  
\$72,205.00

SUM OF END  
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PAGE 7/7 \* RCVD AT 11/13/2006 10:33:24 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-3/5 \* DNIS:2738300 \* CSID:613 230 6706 \* DURATION (mm:ss):02:22

11/13/2006 10:35 FAX 813 230 6706

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Our File: 9-15186-4US-1

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Number of pages including cover letter: 7  
Date: November 13, 2006  
From: Kent Daniels  
Telephone: (613) 780-8673  
E-mail: kdainels@ogilvyrenault.com

To:	Company:	City:	Fax:
<b>ART UNIT 1645</b>	United States Patent Office Facsimile Centre	Alexandria, VA	571-273-8300

Re: Serial No. 10/757,938  
Inventor(s): David Jonathan HALL et al.  
Title: CHOICE OF WAVELENGTHS FOR MULTIWAVELENGTH  
OPTICAL IMAGING

Request for refund attached.

Barriers and Solicitors  
Patent and Trade-Mark Agents

45 O'Connor Street  
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Ottawa, Ontario  
Canada K1P 1A4

Telephone (613) 230-6072  
Fax (613) 230-6706  
ogilvyrenault.com

Continuing the practices of  
Meighen Demers  
Ogilvy Renault  
Swabey Ogilvy Renault



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 United States Patent and Trademark Office  
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 P.O. Box 1430  
 Alexandria, Virginia 22313-1430  
 www.uspto.gov

IFW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/757,938	01/16/2004	David Jonathan Hall	9-15186-4US-1 LB:lf

CONFIRMATION NO. 6329

 020988  
 OGILVY RENAULT  
 1981 MCGILL COLLEGE AVENUE  
 SUITE 1600  
 MONTREAL, QC H3A2Y3  
 CANADA

## FORMALITIES LETTER



\*OC000000012429521\*

Date Mailed: 04/22/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/27/2004 HLE333 00000062 195113 10757938

01 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 3, 5A, 5B, 6A.

SUMMARY OF FEES DUE:

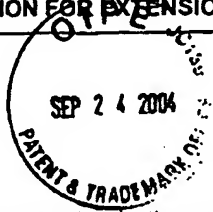
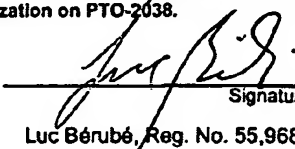
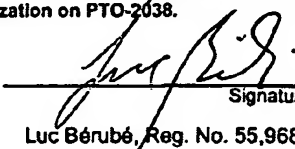
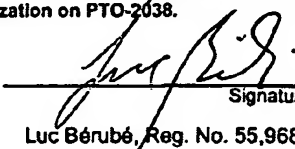
Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

 Adjustment date: 12/04/2006 SFELEKE1  
 09/27/2004 HLE333 00000062 195113 10757938  
 01 FC:1051 130.00 CR



Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) 9-15186-4US-1														
<div style="float: left; width: 30%; text-align: center;">  </div> <div style="float: right; width: 70%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">In re Application of <b>HALL, David J.</b></td> </tr> <tr> <td style="padding: 2px;">Application Number <b>10/757,938</b></td> <td style="padding: 2px;">Filed <b>January 16, 2004</b></td> </tr> <tr> <td colspan="2" style="padding: 2px;">For <b>CHOICE OF WAVELENGTHS FOR MULTIWAVELENGTH...</b></td> </tr> <tr> <td style="padding: 2px;">Art Unit</td> <td style="padding: 2px;">Examiner</td> </tr> </table> </div>			In re Application of <b>HALL, David J.</b>		Application Number <b>10/757,938</b>	Filed <b>January 16, 2004</b>	For <b>CHOICE OF WAVELENGTHS FOR MULTIWAVELENGTH...</b>		Art Unit	Examiner						
In re Application of <b>HALL, David J.</b>																
Application Number <b>10/757,938</b>	Filed <b>January 16, 2004</b>															
For <b>CHOICE OF WAVELENGTHS FOR MULTIWAVELENGTH...</b>																
Art Unit	Examiner															
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: right;">\$ <u>950</u></td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: right;">\$ _____</td> </tr> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>19-5113</u>.</p> <p>I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> applicant/inventor.</p> <p style="margin-left: 40px;"><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>55,968</u></p> <p style="margin-left: 40px;"><input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 40%;"> <u>September 22, 2004</u> Date         </td> <td style="width: 60%; text-align: center;">  Signature         </td> </tr> <tr> <td> <u>(613) 780-8601</u> Telephone Number         </td> <td style="text-align: center;"> <u>Luc Bérubé, Reg. No. 55,968</u> Typed or printed name         </td> </tr> </table> <p><small>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</small></p> <p><input checked="" type="checkbox"/> Total of <u>2</u> forms are submitted.</p>			<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ <u>950</u>	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____	<u>September 22, 2004</u> Date	 Signature	<u>(613) 780-8601</u> Telephone Number	<u>Luc Bérubé, Reg. No. 55,968</u> Typed or printed name
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____															
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This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 12/04/2006 SFELEKE1  
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